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Date: **September 17, 2004**

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To: **Group Art Unit 1753**

Company: **U.S. Patent & Trademark Office**

**FAX NO.
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**Serial No. 10/038,505
Filed December 20, 2001
DeConde et al.**

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Operator: **Kathleen Smith 650-233-4575**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
Inventor(s): **DeConde et al.**

PATENT
APPLICATION

Appln. No. 10/038,505

Group Art Unit: 2855

series code ↑ ↑ serial no.

Filed: December 20, 2001

Examiner: M. Noori

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Title: **Fingerprint Sensors Using membrane Switch Arrays**TERMINAL DISCLAIMER

By Owner

Re Double-Patenting Rejection

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The owner, **Fidelica Microsystems, Inc.** of 100% interest in the instant application, by virtue of an Assignment recorded **March 5, 2002** at Reel **012936** / Frame **0565**, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the fully statutory term defined in 35 USC 154 and 173, as presently shortened by any terminal disclaimer, of prior patent **6,578,436** issued **June 17, 2003**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer., in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.


The undersigned is attorney of record.

PAT-138 5/03

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Entity: Fidelica Microsystems, Inc.

By.


David A. Jakopin, Reg. No. 32,995
Attorney of Record

Date: September 17, 2004

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